

have this day at 11:15 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 77 carefully examined and compared, and find the same correctly enrolled, and have this day at 11:15 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 37 carefully examined and compared, and find the same correctly enrolled, and have this day at 11:15 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 168 carefully examined and compared, and find the same correctly enrolled, and have this day at 11:15 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 22 carefully examined and compared, and find the same correctly enrolled, and have this day at 11:15 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miler, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 179 carefully examined and compared, and find the same correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 56 carefully examined and compared, and find the same correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 218 carefully examined and compared, and find the same correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 90 carefully examined and compared, and find the same correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for her approval.

FLOYD, Chairmna.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 123 carefully examined and compared, and find the same correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for her approval.

FLOYD, Chairman.

TWENTY-SIXTH DAY.

Senate Chamber,
Austin, Texas,
Monday, February 16, 1925.
The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Holbrook.	Stuart.
Moore of Hunt.	Triplett.
Moore of Cooke.	Ward.
Murphy.	Wirtz.
Parnell.	Wood.
Farr.	Woodward.

Absent.

Miller. Witt.

Absent—Excused.

Hardin of Erath. Lewis.
Hardin of Kaufman.

Prayer by Dr. Jewett of Austin.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

Petitions and Memorials.

The Chair had read to the Senate a letter from Mrs. Burr Martin supporting legislation relating to controlling highway traffic, especially relating to railroad crossings.

Also a numerously signed petition from Dallas opposing the proposed tax on cigars and cigarettes.

Also a resolution from the William Finley Chapter of Daughters of American Revolution favoring legislation favoring the teaching of the State Constitution in the public schools of the State.

Also a resolution from the Honson Post, American Legion, Amarillo, favoring co-operation in national defense legislation.

Excused.

Senator Davis moved that Senator Hardin of Erath be excused for today, on account of business matters, which was adopted.

Senator Lewis was indefinitely excused on account of business matters, on motion of Senator Wood.

Senator Hardin of Kaufman was excused indefinitely on account of a death in his family.

Bills and Resolutions.

By Senator Wood:

S. B. No. 310, A bill to be entitled "An Act to amend Section 10 of Chapter 68 of the General Laws passed by the Thirty-eighth Legislature at the Regular Session, page 131, so as to abolish the office of district attorney for the counties of Travis and Williamson; to create the office of district attorney of the Fifty-third Judicial District, and providing for the duties of the county attorney of Williamson County, and fix the compensation of such district and county attorneys.

Read first time and referred to Committee on Judicial Districts.

By Senator Real:

S. B. No. 311, A bill to be entitled "An Act to empower cities having more than five thousand (5,000) inhabitants to purchase or otherwise acquire light systems and water systems, and additions, extensions and enlargements thereto, and additional water powers, riparian rights, and repairs of such systems; to issue bonds or notes therefor, and to secure payment thereof to mortgagee and encumber the same, and the incomes thereof, and everything pertaining thereto, or any part thereof; and to grant to any purchaser under any sale or foreclosure a franchise to operate the same for not over twenty years after such purchase; prescribing the powers and limiting the manner of their exercise; providing for a board of trustees to carry out any contract or encumbrance; providing for the election of a trustee and his successor; to make sale on default in payment; prescribing the method of foreclosure, and giving such cities the option to include or exclude any of such property from such encumbrance; prohibiting the sale of such systems unless authorized by majority vote of the qualified property taxpayers, or under the terms of such encumbrance; and prohibiting the encumbrance of such systems except for purchase money, original cost, or to refund existing indebtedness, unless authorized in like manner; approving all proceedings heretofore had in the acquisition of any such systems and the encumbrances of same within the authority given by this Act, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

Senator Woodward, by request:

S. B. No. 312, A bill to be entitled "An Act amending Section 9 of Chapter 87, of the General Laws of the State of Texas passed at the Regular Session of the Thirty-fifth Legislature of the State of Texas, amended by Chapter 28, Second Called Session of the Thirty-sixth Legislature, amended by Chapter 11, Second Called Session of the Thirty-eighth Legislature, by limiting the issuance of notes to four per cent of the proposed cost of improvements to be made in creating water improvement districts; and amending Section 80 of Chapter 87, of the General Laws of the State of Texas passed at the Regular Session of the Thirty-fifth Legislature of the State of Texas, by omitting the provision in the last part of said section which provides for the change in boundary lines in irrigation districts; and amending Section 118a, Chapter 87, of the Acts of the Regular Session of the Thirty-fifth Legislature, added in Chapter 28, First Called Session of the Thirty-sixth Legislature, referring to the inclusion of towns and municipal corporations in water improvement districts, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Wirtz:

S. B. No. 313, A bill to be entitled "An Act amending the Revised Civil Statutes of Texas by adding to the Revised Civil Statutes adopted by the Thirty-ninth Legislature a new article to be designated Article 38S5A, providing for the fees of district attorneys in certain judicial districts in this State, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senators Ward and Fairchild:

S. B. No. 314, A bill to be entitled "An Act to amend Sections 1, 2, 3, 4 and 5, of Chapter 41, General Laws passed at the Regular Session of the Thirty-seventh Legislature, so as to more clearly provide for the creation of the road districts therein authorized, and for the consolidation of road districts, and for the exclusion from road districts, if desired, of territory covered by other districts created under Section 52, Article 3, of the Constitution; providing a method of procedure in the creation of such districts, and validating districts heretofore cre-

ated under the Act hereby amended and all bonds voted by such districts, and declaring an emergency."

Read first time and referred to Committee on Highways and Motor Traffic.

By Senator Fairchild:

S. B. No. 315, A bill to be entitled "An Act authorizing the sale of the Shaw Farm located in northeast Texas, which is now owned by the State and is a part of the State penitentiary system; providing that the funds realized from such sale shall be placed in the State treasury, and declaring an emergency."

Read first time and referred to Committee on State Penitentiaries.

By Senator Smith:

S. B. No. 316, A bill to be entitled "An Act to reorganize the Thirty-ninth Judicial District of Texas so as to omit therefrom the county of Throckmorton, fixing the terms of the holding of the district court in each of the counties in said Thirty-ninth Judicial District of Texas; placing the county of Throckmorton in the Ninety-second Judicial District of Texas, fixing the time for holding of court by the district court of the Ninety-second Judicial District of Texas in the counties of said district; transferring from the docket of the district court of Throckmorton County, Thirty-ninth Judicial District, all causes, motions and other matters to the docket of the district court in said county, Ninety-second Judicial District of Texas perpetuating the Ninety-second Judicial District of Texas as created by Chapter Seventy-six (76) of the General Laws of the Thirty-eighth Legislature passed at its Regular Session and providing for the continuation in office of the judge of said district and prescribing the duties of other officers of said Ninety-second Judicial District in Throckmorton County; repealing all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Parr:

S. B. No. 317, A bill to be entitled "An Act creating and establishing the Laureles Independent School District in Kleberg County, Texas, defining its boundaries, providing for the election and qualification of trustees thereof, and vesting said district with the rights, powers, du-

ties and privileges of districts incorporated under the General Laws for free school purposes, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Pollard:

S. B. No. 318, A bill to be entitled "An Act to amend Article 3873, Chapter 3, Title 58 of the Revised Statutes of Texas of 1911, relating to the compensation of the county treasurers of the several counties of the State; fixing the rate of commissions to be allowed said treasurers, and the maximum annual compensation for their services; repealing Articles 3874 and 3875, Chapter 3, Title 58 of the Revised Statutes of Texas of 1911, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Pollard:

S. B. No. 319, A bill to be entitled "An Act to create the Golden Independent School District in Wood County, Texas; describing said district created by metes and bounds, providing a board of trustees therefor, vesting said school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas, providing for an election to determine whether or not said district shall assume and pay outstanding bonds of the territory therein embraced and levy a tax therefor; providing for the establishment of high schools in said district; providing for a district superintendent of said district, giving said district the taxing and bonding powers as provided for in the laws of the State relative to independent school districts, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Pollard:

S. B. No. 320, A bill to be entitled "An Act to amend Section 1 of an Act passed by the Thirty-fourth Legislature of Texas and approved March 22, 1915, creating the Ninth Supreme Judicial District of Texas, the same being Chapter 70, of the Acts of the Regular Session of the Thirty-fourth Legislature and to create the Tenth Supreme Judicial District of Texas, as amended by the Thirty-fourth Legislature, so as to

take Wood County out of the Fifth Supreme Judicial District of Texas and add Wood County to the Sixth Supreme Judicial District of Texas."

Read first time and referred to Committee on Judicial Districts.

By Senator Holbrook et al:

S. B. No. 321, A bill to be entitled "An Act to create and establish the Richmond Independent School District in Fort Bend County, Texas, including therein the territory of the present Richmond Independent District as incorporated under the General Laws; providing a board of trustees for the said district and conferring upon the board of trustees the rights, powers and duties prescribed by General Law for independent school district trustees; validating current contracts, indebtedness, and tax levies of the present Richmond Independent District as the valid and subsisting contracts, indebtedness and taxes of the district as hereby created, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Bailey:

S. J. R. No. 12, A joint resolution "Proposing an amendment to Section 4 of Article 15 of the Constitution of Texas so as to authorize the Senate to modify or remove the disqualification of any person disqualified from holding any office of honor, trust or profit under this State by judgment of impeachment."

Read first time and referred to Committee on Constitutional Amendments.

Morning call concluded.

House Bill No. 382.

The chair laid before the Senate, as pending business,

H. B. No. 382, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain eleemosynary institutions of the State, and other expenses of maintaining and conducting them for the two fiscal years beginning September 1, 1925, and ending August 31, 1927, as follows, to-wit: Confederate Woman's Home; State Confederate Home; State Colony for Feeble-Minded; Deaf, Dumb and Blind Institute for Colored Youths; East Texas Hospital for the Insane; State Epileptic Colony; Girls' Training School; Home for Depen-

dent and Neglected Children; North Texas Hospital for Insane; Northwest Texas Hospital for Insane; Southwestern Insane Asylum; State Juvenile Training School; State Lunatic Asylum; State Pasteur Institute; State Tuberculosis Sanatorium; State Hospital for Crippled and Deformed Children, and declaring an emergency."

The pending question was on the

adoption of the committee report, being the recommendation that S. B. No. 251 be substituted for H. B. No. 382, as a committee substitute bill and that it be not printed.

The committee report was adopted.

Senator Wood offered the following amendment:

Amend Senate Committee Substitute H. B. No. 382, page 19, by inserting between lines 11 and 12 the following:

Texas State Training School for Girls.

Revised Budget 1925-1926 and 1926-1927.

Salaries:	For year ending	
	Aug. 31, 1926	Aug. 31, 1927
Superintendent, with \$500.00 per annum, with fuel light, water, laundry and housing.....	\$ 2,000.00	\$ 2,000.00
Dairy attendant.....	720.00	720.00
Farm superintendent.....	900.00	900.00
Farm assistants, two.....	1,440.00	1,440.00
Laundress.....	720.00	720.00
Matrons and housekeepers, eight.....	5,040.00	5,040.00
Nurse.....	1,000.00	1,000.00
Night watchman.....	720.00	720.00
Home finding supervisor (formerly called parole officer).....	1,000.00	1,000.00
Plumber and mechanic.....	1,200.00	1,200.00
Physician, resident.....	1,200.00	1,200.00
Storekeeper and accountant.....	1,200.00	1,200.00
Stenographer.....	900.00	900.00
School principal.....	1,200.00	1,200.00
Academic teachers, three.....	2,500.00	2,500.00
Domestic science teacher.....	900.00	900.00
Manual training teacher.....	900.00	900.00
Music teacher.....	900.00	900.00
Sewing teacher.....	900.00	900.00
Recreation and gymnasium teacher.....	900.00	900.00
Assistant home-finding supervisor.....	720.00	
Total salaries.....	\$ 26,980.00	\$ 26,260.00
<i>General Maintenance and Miscellaneous:</i>		
School supplies.....	\$ 300.00	\$ 300.00
Commercial department.....	500.00	
Domestic science department.....	150.00	150.00
Farm equipment and stock.....	500.00	500.00
Greenhouse and plants.....	150.00	150.00
Fire equipment.....	200.00	
Hospital department.....	600.00	100.00
Library department.....	200.00	200.00
Walks, drives, and landscaping.....	500.00	
Manual training department.....	200.00	200.00
Recreation and amusements.....	500.00	500.00
Postage.....	150.00	150.00
Traveling expenses, home finding, and supervision.....	2,000.00	2,000.00
Support and maintenance.....	27,000.00	27,000.00
Laundry upkeep.....	500.00	
Total general maintenance.....	\$ 33,450.00	\$ 31,250.00

For the Years Ending
Aug. 31, 1926 Aug. 31, 1927

Repairs and Improvements:

Repairs, general	\$ 5,000.00	\$ 400.00
Sewerage disposal plant	10,000.00	
Laundry assistant	600.00	600.00
Dental, surgical, eye, ear, nose, and throat service	1,280.00	1,280.00
Total repairs and improvements	\$ 16,880.00	\$ 2,280.00
Grand total	\$ 77,310.00	\$ 59,790.00

The amendment was read and adopted.

Senator Davis offered the following several amendments, severally, all of which were read and adopted:

(1) Amend H. B. No. 382 as substituted by S. B. No. 251, page 5, by striking out lines 28 and 29 and by adding to line 27 in the second column of figures the following: "25,000."

(2) Amend H. B. No. 382 as substituted by S. B. No. 251, page 5, line 27, by inserting after the word "equipment" the following: "and addition to new hospital."

(3) Amend H. B. No. 382 as substituted by S. B. No. 251, page 8, line 12, by striking out the words "dormitories, two, equipped," and inserting in lieu thereof "dormitory, one, equipped, for boys," and also striking out on page 8, line 18, the words "dormitory, one, equipped," and inserting in lieu thereof the words "dormitory, one, equipped, for girls."

(4) Amend H. B. No. 382 as substituted by S. B. No. 251, page 38, line 28, by striking out the figures "1,400" and inserting in lieu thereof the figures "1,440."

(5) Amend H. B. No. 382 as substituted by S. B. No. 251, page 28, by striking out all of line 22.

(6) Amend H. B. No. 382 as substituted by S. B. No. 251, page 33, line 4, by striking out the words "for same" and by transferring the figures "10,000" from the first column of figures to the second column of figures, so that the \$10,000.00 shall be appropriated for the year ending August 31, 1927.

(7) Amend H. B. No. 382 as substituted by S. B. No. 251, page 47, lines 6 and 7, by striking out the words "two dormitories equipped for 75 patients each" and inserting in lieu thereof the words "one dormitory equipped for 75 patients."

(8) Amend H. B. No. 382 as substituted by S. B. No. 251 by inserting subtotals and the grand totals to

conform to the amendments adopted. The bill was passed to a third reading.

On motion of Senator Davis, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 382 put on its third reading and final passage, by the following vote:

Yeas—22.

Bailey.	Reid.
Berkeley.	Russek.
Bledsoe.	Smith.
Bowers.	Strong.
Davis.	Stuart.
Fairchild.	Triplett.
Holbrook.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Wood.
Parr.	Woodward.
Pollard.	

Absent.

Lewis.	Price.
Miller.	Real.
Murphy.	Witt.
Parnell.	

Absent—Excused.

Floyd.	Hardin of Kaufman.
Hardin of Erath	

The bill was read third time and passed finally, by the following vote:

Yeas—25.

Bailey.	Price.
Berkeley.	Real.
Bledsoe.	Reid.
Bowers.	Russek.
Davis.	Smith.
Fairchild.	Strong.
Floyd.	Stuart.
Holbrook.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Wood.
Parr.	Woodward.
Pollard.	

Absent.

Miller. Witt.
Parnell.

Absent—Excused.

Hardin of Erath Lewis.
Hardin of Kaufman.

Senate Bill No. 81.

The Chair laid before the Senate,
on third reading,

S. B. No. 81, A bill to be entitled
"An Act to amend Subdivision 2 of
Section 7 of Chapter 83 of the Acts
of the Regular Session of the Thirty-
fifth Legislature approved March 15,
1917, relating to the prospecting for
and the development of minerals and
other substances in the public lands,
islands, waters, river beds and chan-
nels owned by the State; and provid-
ing for the securing and payment for
all permits for lease of said lands,
especially bays, marshes, reefs, salt-
water lakes and submerged lands,
and declaring an emergency."

The bill was read third time and
passed finally, by the following vote:

Yeas—23.

Bailey.	Price.
Berkeley.	Real.
Bledsoe.	Reid.
Bowers.	Russek.
Davis.	Smith.
Fairchild.	Strong.
Floyd.	Stuart.
Holbrook.	Triplett.
Moore of Hunt.	Ward.
Murphy.	Wirtz.
Parr.	Wood.
Pollard.	

Absent.

Miller. Witt.
Moore of Cooke. Woodward.
Parnell.

Absent—Excused.

Hardin of Erath. Lewis.
Hardin of Kaufman.

Senate Bill No. 104.

The Chair laid before the Senate,
on third reading,

S. B. No. 104, A bill to be entitled
"An Act amending Article 650b of
the Revised Statutes of Texas of
1895, as enacted by the Thirtieth
Legislature, Acts 1807, page 294, be-
ing Subdivision 73, Article 1121, of
Title 25 of Revised Statutes of Texas

of 1911, as amended by the Thirty-
third Legislature, Acts 1913, page
352, so as to provide that private
corporations may be created for, or
after being created, may so amend
their charters as to include two or
more of the following purposes,
namely: The supply of water to the
public for irrigation, power, mu-
nicipal or domestic purposes; the
manufacture of and supply of ice to
the public; the generation of and
supply of gas, electric light and
motor power to the public; the man-
ufacture, supply and sale of car-
bonated water to the public; the op-
eration of cottonseed oil mills and
the operation of cotton compresses,
and removing the restrictions as to
the amount of capital stock of such
corporations, imposed thereby; pro-
vided, that corporations including
more than one of the purposes named
in this article shall pay the franchise
tax provided by law for each of the
purposes so included in their said
charters, or amendments thereto."

The bill was read third time and
passed finally, by the following vote:

Yeas—22.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Holbrook.	Strong.
Moore of Hunt.	Stuart.
Moore of Cooke.	Triplett.
Murphy.	Wirtz.
Parr.	Wood.

Absent—Excused.

Davis. Parnell.
Hardin of Erath. Ward.
Hardin of Kaufman. Witt.
Lewis. Woodward.
Miller.

Senate Bill No. 131.

The Chair laid before the Senate,
on third reading,

S. B. No. 131, A bill to be entitled
"An Act to amend Articles 157, 161
and 163 of the Revised Statutes of
the State of Texas of 1911, relating
to the committment and confinement
of insane persons; the manner there-
of; the furnishing of a transcript of
the proceedings relating thereto; re-
pealing all laws in conflict herewith;

declaring an emergency, and fixing a time for this Act to take effect."

The bill was read third time and passed finally, by the following vote:

Yeas—25.

Bailey.	Price.
Berkeley.	Real.
Bledsoe.	Reid.
Bowers.	Russek.
Davis.	Smith.
Fairchild.	Strong.
Floyd.	Stuart.
Holbrook.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Wood.
Parr.	Woodward.
Pollard.	

Absent.

Miller.	Witt.
Parnell.	

Absent—Excused.

Hardin of Erath.	Lewis.
Hardin of Kaufman.	

Senate Bill No. 161.

The Chair laid before the Senate, on third reading,

S. B. No. 161, A bill to be entitled "An Act to repeal Article 791 of the Code of Criminal Procedure of 1911 of the State of Texas, relating to the testimony of principals, accomplices and accessories."

The bill was read third time and passed finally.

Senate Bill No. 174.

The Chair laid before the Senate, on third reading,

S. B. No. 174, A bill to be entitled "An Act making the people secure in their persons, houses, papers and possessions from all unlawful and unreasonable seizures or searches; making it unlawful in the trial of any court within this State to introduce evidence obtained or testimony secured by or through an unlawful or unreasonable seizure or search made by or under the direction of any peace officer, State ranger, or any other person; providing for a penalty when making an unlawful search, and declaring an emergency."

The bill was read third time and passed finally.

Senate Bill No. 180.

The Chair laid before the Senate, on third reading,

S. B. No. 180, A bill to be entitled "An Act providing that any foreign corporation not having a permit to do business in Texas, and lawfully owning stock of a corporation organized under the laws of Texas, may vote said stock and participate in the management and control of such corporation as other stockholders, subject to all laws, rules and regulations governing Texas corporations and limiting the number of domestic corporations in which such rights may be exercised by such foreign corporations, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—15.

Bailey.	Parr.
Berkeley.	Pollard.
Bowers.	Real.
Davis.	Russek.
Fairchild.	Smith.
Holbrook.	Strong.
Murphy.	Wirtz.
Parnell.	

Nays—8.

Bledsoe.	Stuart.
Moore of Hunt.	Triplett.
Price.	Ward.
Reid.	Wood.

Absent.

Floyd.	Witt.
Miller.	Woodward.
Moore of Cooke.	

Absent.

Hardin of Erath.	Lewis.
Hardin of Kaufman.	

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 16, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has

Granted the request of the Senate for a free conference committee to adjust the differences between the two houses on S. B. No. 3. The following committee has been appointed on the part of the House: Petsch, Sanford, Wells, Story, Young.

H. B. No. 249, A bill to be entitled "An Act providing for the care, re-

straint, diagnosis and treatment of persons who are insane, mentally ill or mentally defective; providing for regulating and providing for operation of public institutions and hospitals for such persons; providing for the necessary officers, agents, agencies and employes for such purpose and to administer and enforce the laws relative to such persons; providing for sustenance and maintenance of such persons; providing for education and research relating to such persons; providing psychopathic research and hospitals; providing for the adjudication of insanity or mental sickness or defect, the commitment and restraint of persons so afflicted, and licensing and regulating private persons, hospitals and institutions caring for or treating insane or mentally defective or ill persons; prescribing rules and regulations and defining offenses in connection with the care and treatment of such persons; providing the necessary funds and fixing the necessary salaries to carry out the purpose of this Act; repealing provisions of the Revised Civil Statutes and all other laws in conflict herewith, and declaring an emergency."

With Engrossed Rider.

H. B. No. 351, A bill to be entitled "An Act to change the territory included in the Sour Lake Independent School District in Hardin County, Texas, and for other purposes."

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

House Bills on First Reading.

The following House Bills were laid before the Senate, read severally first time, and referred to appropriate committees:

H. B. No. 249, referred to Committee on Finance.

H. B. No. 351, referred to Committee on Educational Affairs.

Senate Bill No. 190.

The Chair laid before the Senate, on third reading,

S. B. No. 190, A bill to be entitled "An Act to amend Section 6, of Chapter 74, General Laws of the Second Called Session of the Thirty-sixth Legislature, and creating the sand, gravel and shell fund, providing for refund of taxes paid on marl, gravel, shell or mudshell by any county, city or town or the State Highway Commission, and providing

for the enforcement of the provisions of the sand, shell and gravel law, and for the establishment and maintenance of fish hatcheries, and repealing of laws in conflict herewith, and declaring an emergency."

The bill was read third time, and Senator Wood offered the following amendments, severally, which were adopted by unanimous consent:

1. Amend the caption of S. B. No. 190 by inserting after the word "fund" in line 9, the following, "and appropriating the same."

2. Amend S. B. No. 190, page 2, line 14, by inserting after the word "hatcheries" the following, "and the sand, gravel and shell fund is hereby appropriated for the purpose of carrying out the provisions of this Act."

Senator Holbrook moved that the further consideration be laid on the table subject to call.

The motion was lost.

The bill was passed finally, by the following vote:

Yeas—16.

Berkeley.	Real.
Bledsoe.	Reid.
Bowers.	Russek.
Davis.	Smith.
Moore of Cooke.	Stuart.
Murphy.	Ward.
Parr.	Wirtz.
Pollard.	Wood.

Nays—7.

Bailey.	Price.
Fairchild.	Strong.
Floyd.	Triplett.
Holbrook.	

Absent.

Miller.	Witt.
Moore of Hunt.	Woodward.
Parnell.	

Absent—Excused.

Hardin of Erath.	Lewis.
Hardin of Kaufman.	

Senate Bill No. 210.

The Chair laid before the Senate, on third reading,

S. B. No. 210, A bill to be entitled "An Act to provide that all bonds of the State or any county or subdivision thereof, or any city or municipality or district within the State shall be payable at one specific place of payment designated in the bond order or ordinance, and providing

that all bonds purchased with public funds belonging to the State of Texas shall be payable at the office of the State Treasurer of the State of Texas, and declaring an emergency."

The bill was read third time and, by unanimous consent, Senator Murphy offered the following simple resolution:

Simple Resolution No. 37.

By Senator Murphy:

Whereas, James Stephen Hogg, as Governor of the State of Texas, insisted upon the passage of a law prohibiting the issuance of free transportation upon railroad companies, and continued the agitation for many years after he left the office; and,

Whereas, the law was finally passed under the administration of T. M. Campbell, and has continued in operation, with few exceptions, permitting the issuance of free transportation; and,

Whereas, James E. Ferguson as Governor of the State of Texas did veto and disapprove a bill passed by the Legislature, permitting the railroad companies to issue free transportation to the Governor, Lieutenant Governor and members of the Legislature, among many others; and,

Whereas, at this time Miriam A. Ferguson, the wife of James E. Ferguson, is the duly elected, qualified and acting Governor of the State of Texas, and the Legislature has passed and sent to her for her approval S. B. No. 175, authorizing and requiring all railroads and other carriers to issue transportation free to the Lieutenant Governor and members of the Legislature;

Resolved, That we, the Texas Senate, request Miriam A. Ferguson to veto S. B. No. 175.

The resolution was read, and Senator Bailey made the point of order that the resolution was not in order, since the Senate could not instruct the Governor what to do, as the Constitution defines the duties of the Governor.

The Chair, Lieutenant Governor Miller, sustained the point of order, and Senator Murphy appealed from the ruling of the Chair.

Lieutenant Governor Miller called President Pro Tem Wirtz to the Chair.

After discussion, the question recurred:

Shall the ruling of the Chair be sustained?

The Senate sustained the Chair.

(Lieutenant Governor Miller in the Chair.)

Action recurred on S. B. No. 210, on final passage.

The bill was finally passed.

Senate Bill No. 212.

The Chair laid before the Senate, on third reading,

S. B. No. 212, A bill to be entitled "An Act to amend Articles 1315 and 1316 of the Penal Code of the State of Texas of 1911, and declaring an emergency."

The bill was read third time and passed finally.

Senate Bill No. 185.

Senator Parr moved to reconsider the vote by which the Senate indefinitely postponed the consideration of S. B. No. 185.

Senator Wood moved to table the motion to reconsider, which motion to table was adopted by the following vote:

Yeas—14.

Berkeley.	Reid.
Bledsoe.	Smith.
Holbrook.	Stuart.
Moore of Hunt.	Triplett.
Moore of Cooke.	Ward.
Pollard.	Wirtz.
Price.	Wood.

Nays—10.

Bailey.	Murphy.
Bowers.	Parr.
Davis.	Real.
Fairchild.	Strong.
Floyd.	Woodward.

Absent.

Miller.	Russek.
Parnell.	Witt.

Absent—Excused.

Hardin of Erath.	Lewis.
Hardin of Kaufman.	

Recess.

On motion of Senator Pollard the Senate, at 12:15 o'clock p. m., recessed until 2:30 o'clock today.

After Recess.

The Senate was called to order by Lieutenant Governor Barry Miller.

House Bill No. 218.

The Chair laid before the Senate, as special order for this hour, H. B. No. 218, known as the Tick Eradication measure.

Action recurred on the pending amendment by Senator Bowers, which amendment was S. B. No. 201.

Message From the House.

Hall of the House of Representatives, Austin, Texas, February 16, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate amendments to H. B. No. 382 and requests the appointment of a Free Conference Committee to adjust the differences. The following committee is appointed on part of the House:

Blount, Sanford, Wade, Stevens and Parish.

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

House Bill No. 382—Free Conference Committee.

Senator Davis moved that the Senate grant the request of the House for a Free Conference Committee on H. B. No. 382, and that a committee of five be appointed on part of the Senate.

The motion was adopted, and the Chair at once announced the following as members on part of the Senate:

Senators Davis, Wood, Strong, Reid and Parnell.

Bills Signed.

The Chair, Lieutenant Governor Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 23.

H. B. No. 131.

H. B. No. 209.

H. B. No. 181.

House Bill No. 218.

Action recurred on the pending business, H. B. No. 218, the question being on the amendment by Senator Bowers.

(Senator Fairchild in the Chair.)

Adjournment.

On motion of Senator Wirtz, the Senate at 4:30 o'clock p. m. adjourned until 10 o'clock tomorrow morning.

APPENDIX.**Committee Reports.**

Committee Room,

Austin, Texas, Feb. 16, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 310, A bill to be entitled "An Act to amend Section 10 of Chapter 68 of the General Laws passed by the Thirty-eighth Legislature at the Regular Session, page 131, so as to abolish the office of district attorney for the counties of Travis and Williamson; to create the office of district attorney for the Fifty-third Judicial District, and providing for the duties of the county attorney of Williamson County, and fix the compensation of such district and county attorneys."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PRICE, Chairman.

Committee Room,

Austin, Texas, Feb. 16, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 321, A bill to be entitled "An Act to create and establish the Richmond Independent School District in Fort Bend County, Texas; including therein the territory of the present Richmond Independent District as incorporated under the General Laws; providing a board of trustees for the said district and conferring upon the board of trustees the rights, powers and duties prescribed by General Law for independent school district trustees; validating current contracts, indebtedness and tax levies of the present Richmond Independent District as the valid and subsisting contracts, indebtedness and taxes of the district as hereby created, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Holbrook, Floyd, Bowers, Reid.

Committee Room,
Austin, Texas, Feb. 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred S. B. No. 250, A bill to be entitled "An Act creating and establishing Alvin Independent School District in Brazoria County, Texas; defining and describing it by metes and bounds, providing for the government thereof; providing for it to assume the outstanding school contracts, vesting in it the title to all school property situated in the territory so included, ratifying and continuing in force the school taxes heretofore voted in said territory; validating local school taxes heretofore levied and assessed against the property situated therein; providing for the extension of boundaries, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Holbrook, Floyd, Reid, Bowers.

Committee Room,
Austin, Texas, Feb. 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 290, A bill to be entitled "An Act to amend Section 2, Chapter 185 of the Acts of the Regular Session of the Thirty-eighth Legislature of the State of Texas, pertaining to the business of private banks, so as to eliminate the retroactive feature of said Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

HOLBROOK, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, Feb. 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 10, A joint resolution "Proposing an amendment to the Constitution providing for taxation of school lands owned by counties."

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman,
BAILEY,
WOODWARD,
PRICE.

(Floor Report.)

Senate Chamber,
Austin, Texas, Feb. 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 11, A joint resolution "Proposing an amendment to Article 16 of the Constitution of Texas, by the addition of a new section to be numbered 60; providing legislative authority for the enactment of laws to encourage the conservation of the timber resources of the State, and for the reforestation of deforested lands; for the administration of such laws; for the time and manner of voting upon such proposed constitutional amendment; defining certain duties of the Governor in connection therewith; and making an appropriation to defray the expenses of proclamation, publication and election."

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman,
BAILEY,
PRICE.

Committee Room,
Austin, Texas, Feb. 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 249, A bill to be entitled "An Act providing for the care, restraint, diagnosis and treatment of persons who are insane, mentally ill or mentally defective; providing for regulating and providing for operation of public institutions and hospitals for such persons; providing for the necessary officers, agents, agencies and employes for such purpose and to administer and enforce the laws relative to such persons; providing for sustenance and maintenance of such persons; providing for education and research relating to such persons; providing psychopathic research and hospitals; providing for the adjudication of insan-

ity or mental sickness or defect, the commitment and restraint of persons so afflicted; licensing and regulating private persons, hospitals and institutions caring for or treating insane or mentally defective or ill persons; prescribing rules and regulations and defining offenses in connection with the care and treatment of such persons; providing the necessary funds and fixing necessary salaries to carry out the purposes of this Act; repealing provisions of the Revised Civil Statutes and all other laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

DAVIS, Chairman.

Committee Room,
Austin, Texas, Feb. 16, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 279, A bill to be entitled "An Act to prevent the stealing and disposal of motor vehicles; to provide certificate of title to owners of motor cars; to provide water-proof container for said certificate of title; repealing all laws in conflict herewith; providing penalties for the violation of the provisions of this Act."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 16, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence to whom was referred,

H. B. No. 52, A bill to be entitled "An Act to amend Article 788, of the Code of Criminal Procedure, by repealing Subdivision 3 thereof."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 16, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence to whom was referred,

S. B. No. 222, A bill to be entitled "An Act to prevent unnecessary noises in the operation of motor vehicles and motorcycles on the public highways; making it an offense to operate on any public highway or street in this State a motor vehicle or motorcycle not equipped with a muffler or equipped with a muffler cutout; defining the term "muffler"; defining the term "muffler cutout"; prescribing penalties for violation of the Act; and declaring an emergency.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 16, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence to whom was referred,

H. B. No. 53, A bill to be entitled "An Act to amend Article 3691 of the Revised Statutes of the State of Texas, by adding that conviction of a felony shall not disqualify a witness from testifying.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 14, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred,

S. B. No. 268, A bill to be entitled "An Act to amend Sections 1, 3 and 5 of Chapter 163 of an Act of the Regular Session of the Thirty-sixth Legislature, approved April 3, 1919, relating to the advertisement and sale of public free school and asylum land, and adding another section providing for validating sales held by the Supreme Court to be void and other sales; allowing forfeiting owners six months in which to redeem their forfeited lands, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BOWERS, Vice-Chairman.

Committee Room,

Austin, Texas, Feb. 14, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred,

S. B. No. 303, A bill to be entitled "An Act to provide that owners of public free school land heretofore purchased from the State of Texas, which land may hereafter be forfeited for non-payment of interest as now provided by law, provided said forfeiture was caused by reason of interest accrued or accruing prior to the taking effect of this Act, shall have the right to repurchase said lands or any part thereof under the law now governing such sales, and leaving any lien and valid contractual right existing in and to the land so repurchased, and providing for a revaluation of such land by the Commissioner of the General Land Office as may be desired to be repurchased under this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BOWERS, Vice-Chairman.

(Majority Report.)

Committee Room,

Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, a majority of your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 301, A bill to be entitled "An Act providing for an equal number of men and women on committees of political parties in the State; amending Articles 3107 and 3140 of Revised Civil Statutes of 1911, as amended, and repealing Article 3102, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

BAILEY, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I, a minority of your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 301.

Beg leave to differ with the majority of the committee, and report same back to the Senate with the recommendation that it do pass.

BLEDSON

Committee Room,

Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 60, A bill to be entitled "An Act to amend Article 3251, Chapter 4, of the Revised Statutes of Texas, providing the requisites for an application for the probate of a written will produced in court."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 296, A bill to be entitled "An Act to authorize the judge of any district court or other court having jurisdiction to appoint a receiver or receivers of any defunct or disorganized church or congregation, and authorizing the management and sale of all such properties, real, personal, mixed and choses in action, and authorizing such court, in such cases where such church or congregation may not in the judgment of such court be reorganized within a reasonable time, to deliver such property or its proceeds to a church or congregation, a governing body or ecclesiastical head, or state missionary society, of like faith, and order to be expended for the use and benefit of a church, churches, or communion of like faith and order, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 172, A bill to be entitled "An Act to provide the method of preparing statement of facts in all cases appealed or taken up on writ of error, and for the consideration of same by the appellate courts, and for the inclusion therein of bills of exception, and for the repeal of all laws or parts of laws in conflict with this Act."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 272, A bill to be entitled "An Act amending Section 4 of Chapter 29 of the General Laws of the Second Called Session of the Thirty-eighth Legislature so as to exempt from the inheritance tax therein provided, bequests and devises passing to public charities, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 287, A bill to be entitled "An Act to amend Chapter 3 of Title 118 of the Revised Civil Statutes of Texas of 1911, relating to the filing of notice of pendency of suit, by adding thereto Article 6840½, so as to provide for the cancellation of such

notice of pendency of suit by the court in which the suit or action is pending, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 16, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 196 carefully examined and compared, and find the same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, Feb. 16, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 233 carefully examined and compared, and find the same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 175 carefully examined and compared, and find the same correctly enrolled, and have this day at 11:45 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman.

TWENTY-SEVENTH DAY.

Senate Chamber,

Austin, Texas,

Tuesday, February 17, 1925.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.
Berkeley.
Bledsoe.
Bowers.
Davis.
Fairchild.
Floyd.

Hardin of Kaufman.
Holbrook.
Miller.
Moore of Hunt.
Moore of Cooke.
Murphy.
Parnell.